

REMARKS

Claims 1 and 3-45 are currently pending in this application. No claims have been amended or cancelled. New claims 41-45 have been added.

In the Office Action mailed May 14, 2008, pending claims 1 and 3-40 were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) Claims 1, 3, 4, 9-14, 17, 19-23, 25-36 and 38-40 were rejected under 35 U.S.C. § 103(a) over the combination of U.S. Patent No. 6,594,690 to Cantwell ("Cantwell") and Published U.S. Patent App. No. US 2002/0004802 to Shima ("Shima");

(B) Claims 5-8, 15, 16, 18 and 37 were rejected under 35 U.S.C. § 103(a) over the combination of Cantwell, Shima and U.S. Pat. No. 6,785,805 to House et al. ("House"); and

(C) Claim 24 was rejected under 35 U.S.C. § 103(a) over the combination of Cantwell, Shima and U.S. Pat. No. 5,587,533 to Schneider et al. ("Schneider").

The undersigned attorney and his colleague, Aaron Poledna (Reg. No. 54,675), wish to thank Examiner Vo for engaging in a telephone conference on August 21, 2008 to discuss the present Office Action, the Cantwell and Shima references, and the pending claims. The applicant requests that this paper constitute the applicant's Interview Summary. If the Examiner notices any deficiencies with this paper in this regard, he is encouraged to contact the undersigned attorney to correct such deficiencies.

The following remarks summarize and expand upon the August 21st telephone conference, and they also reflect the agreement reached between the undersigned attorney and the Examiner during the telephone conference. For example, the following

remarks reflect the Examiner's agreement to reconsider the rejection of claim 1 based on Cantwell and Shima.

A. Response to the Section 103(a) Rejections of Claims 1, 3, 4, 9-14, 17, 19-23, 25-36 and 38-40 (Cantwell and Shima)

Claims 1, 3, 4, 9-14, 17, 19-23, 25-36 and 38-40 were rejected under 35 U.S.C. § 103(a) over the combination of Cantwell and Shima. As set forth below, however, the applied references cannot support a Section 103 rejection of these claims for at least the reason that these references fail to teach or suggest all the claimed features. For example, claim 1 recites "a destination selection system to enable said user to select a location from said browser for saving said scanning data, said location being selected from locations including locations other than said computer." As correctly noted in the Office Action (p. 3), Cantwell does not teach or suggest this feature. The Office Action, however, asserts that Shima cures this deficiency. (*Id.*) Applicant respectfully disagrees with this assertion.

As discussed during the August 21st telephone conference, Shima actually describes how a user can save a URL (Uniform Resource Locator) by bookmarking it with the user's browser. (Shima, [0147].) As is commonly known, a URL is a text string comprising a link to a resource available on a network.¹ Shima describes that a URL is used to access a web page on a web server on the Internet. (Shima, [0137].) Therefore, a URL is a link to data, and not the data itself. Thus, Shima actually describes saving a link to scanning data at paragraph [0147], and not saving scanning data itself. Because Shima only describes saving a link to scanning data, Shima does not teach or suggest saving scanning data at a location selected from locations including locations other than the computer. Accordingly, Shima does not teach or suggest "a destination selection system to enable said user to select a location from

¹ Request for Comments (RFC) 1738, which is the Internet Engineering Task Force's specification for URLs, states: "This document describes the syntax and semantics for a compact string representation for a resource available via the Internet. These strings are called "Uniform Resource Locators" (URLs)." (RFC 1738, "Uniform Resource Locators (URL)", p. 1, Dec. 1994, available at <http://www.ietf.org/rfc/rfc1738.txt>.)
32052-8167.US00/LEGAL14321502.1

said browser for saving said scanning data, said location being selected from locations including locations other than said computer," as recited in claim 1. Accordingly, not only does Shima fail to teach or suggest the above-quoted feature of claim 1, this reference teaches directly away from the claimed combination of features. During the August 21st telephone conference, the Examiner agreed to reconsider the rejection of claim 1 in view of the above remarks. Applicant respectfully requests that the Examiner reconsider and withdraw the Section 103 rejection of claim 1.

Claims 3, 4, 9-11, 21, 25, 26, 32 and 33 depend from base claim 1. Accordingly, the Section 103 rejection of dependent claims 3, 4, 9-11, 21, 25, 26, 32 and 33 should be withdrawn for at least the foregoing reasons, and for the additional features of these dependent claims.

Independent claims 12, 17 and 36 include several features generally similar to those of claim 1 (e.g., storing or saving scanning data at a location selected from multiple locations). Accordingly, claims 12, 17 and 36 are patentable over Cantwell and Shima for at least the reasons discussed above with respect to claim 1, and for the additional features of these independent claims. Therefore, the Section 103 rejections of claims 12, 17, and 36 should be withdrawn.

Claims 13, 14, 22, 23 and 27-29 depend from base claim 12, claims 19, 20, 30, 31, 34 and 35 depend from base claim 17, and claims 38-40 depend from base claim 36. Accordingly, the Section 103 rejection of claims 13, 14, 19, 20, 22, 23, 27-31, 34, 35 and 38-40 should be withdrawn for at least the foregoing reasons, and for the additional features of these dependent claims.

B. Response to the Section 103 Rejections of Claims 5-8, 15, 16, 18 and 37 (Cantwell, Shima and House)

Claims 5-8, 15, 16, 18 and 37 were rejected under 35 U.S.C. § 103(a) over the combination of Cantwell, Shima and House. Claims 5-8 depend from base claim 1, claims 15 and 16 depend from base claim 12, claim 18 depends from base claim 17,
320528167.US00/LEGAL14321502.1

and claim 37 depends from base claim 36. As discussed above, Cantwell and Shima fail to disclose or suggest all the features of base claims 1, 12, 17 and 36. House is relied on in the Office Action for describing "a login system adapted to enable said user to access said driver selection system following establishing an identity of the user." (Office Action, p. 9.) Even assuming for the sake of argument that this is correct (and the applicant expressly does not), House fails to cure the above-noted deficiencies of Cantwell and Shima to support a Section 103 rejection of base claims 1, 12, 17, and 36. Accordingly, claims 5-8, 15, 16, 18 and 37 are allowable over the combination of Cantwell, Shima, and House for at least the reason that these references, either alone or in combination, fail to disclose or suggest the features of claims 1, 12, 17 and 36, and the additional features of corresponding dependent claims 5-8, 15, 16, 18 and 37. Therefore, the Section 103 rejections of dependent claims 5-8, 15, 16, 18 and 37 should be withdrawn.

C. Response to the Section 103 Rejection of Claim 24 (Cantwell, Shima and Schneider)

Claim 24 was rejected under 35 U.S.C. § 103(a) as unpatentable over Cantwell, Shima and Schneider. Claim 24 depends from base claim 1. As discussed above, Cantwell and Shima fail to disclose or suggest all the features of claim 1. Schneider is relied on in the Office Action for describing "scanned data that is stored under a user defined file name and the user is queried if the scanned data is to be saved or not." (Office Action, p. 11.) Even assuming for the sake of argument that this is correct (and the applicant expressly does not), Schneider fails to cure the above-noted deficiencies of Cantwell and Shima to support a Section 103 rejection of base claim 1. Accordingly, dependent claim 24 is allowable over the combination of Cantwell, Shima, and Schneider for at least the reason that these references, either alone or in combination, fail to disclose or suggest the features of corresponding base claim 1, and the additional features of this dependent claim. Therefore, the Section 103 rejection of dependent claim 24 should be withdrawn.

D. New Claims 41-45

New claims 41-45 have been added to the present application. The subject matter of these claims is supported by the figures and text of the original application (e.g., pp. 4-7 of the Specification and Figures 2-4). Therefore, these claims do not add any new matter to the application and are fully supported under 35 U.S.C. § 112, first paragraph. Furthermore, new claim 41 recites features generally similar to those of claims 1, 12, 17 and 36. For example, claim 41 recites "receiving a selection of a location for storing scanning data from the second computer, wherein the location is selected from locations including locations other than the second computer." Accordingly claim 41 is patentable over the applied references for the reasons discussed above with respect to claims 1, 12, 17 and 36, and for the additional features of claim 41.

Conclusion

In view of the foregoing, the pending claims comply with the requirements of 35 U.S.C. § 112 and are patentable over the applied art. The applicants accordingly request reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact Joseph F. Brennan at (206) 359-6065.

Respectfully submitted,

Perkins Coie LLP



Joseph F. Brennan
Registration No. 62,403

Date: September 15, 2008

Correspondence Address:

Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000